

JUDGE KARAS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
:

UNITED STATES OF AMERICA

: INDICTMENT

- v. -

: 07 Cr. ____

ABRAHAM AIZENBERG,
MARTIN GOLDSTEIN,

Defendants.

:

- - - - -X

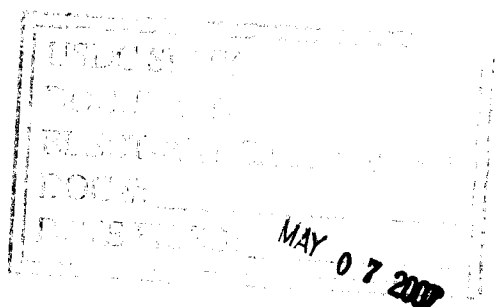
07 CRIM 389

COUNT ONE

The Grand Jury charges:

1. From in or about October 2002 through in or about April 2007, in the Southern District of New York and elsewhere, ABRAHAM AIZENBERG and MARTIN GOLDSTEIN, the defendants, unlawfully, willfully and knowingly, did embezzle, steal, purloin, and convert to their own use money and things of value of the United States and a department and agency thereof, to wit, the United States Department of Housing and Urban Development ("HUD"), and did receive, conceal, and retain the same with intent to convert it to their own use and gain, knowing it to have been embezzled, stolen, purloined and converted, the value of which exceeded \$1,000, to wit, AIZENBERG and GOLDSTEIN received approximately \$87,116 in federal housing subsidies, to which they were not entitled, through fraud and deceit.

(Title 18, United States Code, Sections 641 and 2.)



FORFEITURE ALLEGATION

2. As the result of committing the offenses in violation of Title 18, United States Code, Sections 641 and 2, alleged in Count One of this Indictment, ABRAHAM AIZENBERG and MARTIN GOLDSTEIN, the defendants, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses, including but not limited to the following:

a. At least \$87,116.00 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the offenses charged in Count One of this Indictment, for which the defendants are jointly and severally liable.

b. All that lot or parcel of land, together with its buildings, appurtenances, improvements, fixtures, attachments and easements, located at 525 Kent Avenue, Apartment 6D, Brooklyn, New York.

Substitute Asset Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with,
a third person;

(3) has been placed beyond the jurisdiction of the
Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which
cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. §
982(b), to seek forfeiture of any other property of said
defendant(s) up to the value of the above forfeitable property,
including but not limited to the following:

a. All that lot or parcel of land, together with its
buildings, appurtenances, improvements, fixtures, attachments and
easements, located at 525 Kent Avenue, Apartment 6D, Brooklyn,
New York.

(Title 18, United States Code, Sections 641 and 981 and
Title 28, United States Code, Section 2461)


FOREPERSON


MICHAEL J. GARCIA
United States Attorney

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INDICTMENT

07 Cr.

(18 U.S.C. §§ 2, 641.)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL

Robert E. King

Foreperson.

5/7/07 *Adm. Serv. Div. 14-1-82 A/w order Th.*
CDC is assigned to Judge Korman for all
purposes

May Judge Korman